



Division of Air and Waste Management
Fax Number: 302-739-5060

TO: Martin Matlin

FROM: Nicole Hill

MESSAGE: Notes from yesterday's inspection.

DATE: 3/10/06

NUMBER OF PAGES: 5

Please call 302-739-9403 if you have problems with this transmission.



HAZARDOUS WASTE
LARGE QUANTITY GENERATOR
ONSITE REVIEW

Name of Generator: ~~Amtrak~~ Amtrak - Wilmington

Date of Assessment: ~~3-9-06~~ 3-9-06

Inspectors: Nick Hill, Martin Matlin (EPA)

ONSITE RECORD REVIEW

Training Records

§265.16(d)(1)

Generator must have a list of personnel names and job titles who handle hazardous waste.

Names & titles 2003-2006

No job descriptions

§265.16(e)

Those on the list must be trained annually.

OK

§§ 265.16(e) and 265.16(d)(4)

For all current employees, training records must be maintained until site closure. Attendance and course content records for former employees must be kept by the generator for 3 years from the date the employee last worked at the site.

OK

§265.16(b)

New personnel who handle hazardous waste must have initial training within 6 months of starting.

OK

Training is job dependent.
Receive training as they bid jobs.

Recordkeeping**§265.174 (for container accumulation)**

Generator must have written records of weekly inspections of the accumulation area. Records must be maintained for at least 3 years.

2004 - No Weekly inspections for month of December. (Frank on vacation)
2005 - 8/17 - 9/2, 12/19 - 1/5/06

§262.40(a)

Generator must retain all manifests and exception reports for 3 years.

§262.40(b)

Generator must retain all annual reports for 3 years.

§262.40(c)

Generator must retain records of test results, waste analysis or other determination utilized to make a hazardous waste determination for 3 years from the date that the waste was last sent offsite.

Contingency Plan

§265.53(a)

Generator must have a copy of his contingency plan at his site.

OK. "Hazardous Waste Contingency plan"
Last updated 5/25/05.

§265.52(a)(b) and (f)

The contingency plan must contain a description of who does what during a health of environmental emergency caused by the accumulation area including evacuation plans if the type of waste make that necessary.

Duties + Responsibilities for Emergency Coordinator, alternate +
Emergency Lead Member

§265.52(c)

The contingency plan must contain plans for coordinating with outside emergency response teams if the type of waste accumulated requires such coordination.

OK Philip Services, Clean Harbors,
OK Fleet Environmental, Marcor Environmental

§265.52(d)

The contingency plan must contain the home and office phone numbers of inplant personnel involved in carrying out the plans.

OK

§265.52(e)

The contingency plan must contain a list of emergency equipment utilized in the plans.

OK.

Fire equipment, spill control equipment, decontamination equipment.



§265.55

The contingency plan must have an emergency coordinator on standby at all times who has the authority to commit the resources needed to carry out the contingency plan.

OK.

§265.56(c)

The emergency coordinator must be knowledgeable to assess possible results from a release (must have training records).

OK

§§ 265.56(a)(2) and 265.52(a)

The contingency plan must have a procedure for notifying DNREC and EPA.

OK 800 numbers listed

§§ 265.37 and 265.53

Information on the waste accumulation area and plant must be given to local police, fire departments and hospitals. Documentation of written submission must be maintained.

OK. Fed Ex Receipts + Delivery Confirmation.

§265.54

The contingency plan must be reviewed, and immediately amended whenever the facility changes in its design, construction, operation, maintenance, or other circumstances in a way that materially increases the potential for fires, explosions, or releases of hazardous waste or hazardous constituents, or changes the response necessary in an emergency or the list of emergency coordinators change.

OK Statement in front stairs when plan should be updated.

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF AIR AND WASTE MANAGEMENT

TANK BRANCH
391 Lukens Drive
New Castle DE 19720
Tel: (302) 395-2500
Fax: (302) 395-2555

Date: 2/8/06

To: Martin Matlin

From: Rebecca Keyser

Fax: 215-814-3163

Phone: _____

Phone: _____

Number of pages including cover sheet 7

Message:

Martin -

Attached please find the field checklist and the follow-up
letter for my Feb. 16, 2005 inspection at the Amtrak
Maintenance Facility in Wilmington, DE. Amtrak responded
to my requests and the inspection was closed on June 20, 2005.

Please let me know if you need anything else and what
day you plan to inspect this facility. Thanks!

Becky

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF AIR & WASTE MANAGEMENT
391 LUKENS DRIVE
NEW CASTLE, DELAWARE 19720-2774



WASTE MANAGEMENT SECTION
TANK MANAGEMENT BRANCH

TELEPHONE: (302) 395-2500
FAX NO.: (302) 395-2555

February 24, 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Frank Claar
National Railroad Passenger Corporation
4001 Vandever Avenue
Wilmington, DE 19802

SUBJECT: Request for Information

RE: Amtrak Wilmington Maintenance Facility
4001 Vandever Avenue
Wilmington, DE 19802

Facility ID#: 3-000523
File Code: 02

TANKS: 1-10,000 gallon used oil tank, and 1-10,000 gallon sludge tank

Dear Mr. Claar:

The Department of Natural Resources and Environmental Control (the Department), Tank Management Branch (TMB) conducted a compliance inspection at the above-referenced facility on February 16, 2005.

This facility is required to comply with Title 7, Delaware Code, Chapter 60, Delaware's Water and Air Resources Act (Ch. 60), Title 7, Delaware Code, Chapter 74, Delaware's Underground Storage Tank Act (Ch. 74), and Delaware's Regulations Governing Underground Storage Tank Systems (the UST Regulations).

As a result of the compliance inspection, the following information must be submitted to determine if your facility is in compliance with Ch. 60, Ch. 74, and the UST Regulations.

1. **The UST Regulations: Part A, Section 8.02, Inventory Control Records**

"Every owner and operator must maintain inventory control records for each tank containing a regulated substance. Records must be kept for each tank, or cluster of tanks if they are interconnected, and must include measurements of bottom water levels, sales, use, deliveries, inventory on hand and losses or gains. Reconciliation of records must be kept current, must account for all variables which could affect an apparent loss or gain and must be in accordance with generally accepted practices. The data must be accumulated for each day a tank has regulated substance added or withdrawn but not less frequently than once a week."

At the time of the Department's inspection, inventory control records were not available for inspection.

Delaware's good nature depends on you!

Mr. Frank Claar
February 24, 2005
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Information requested:

- By June 10, 2005, submit properly reconciled Inventory Control Records with water level measurements for March, April, and May 2005 for the used oil tank. Enclosed, please find a copy of a Department policy regarding used oil tanks that explains how to record inventory control records for a used oil tank. Please disregard the sections about overfill protection and manual tank gauging as they do not apply to this facility.
OR
- Within thirty (30) days of receipt of this letter, submit a formal request for exemption from the inventory control requirement. This request must include a detailed explanation of how the tanks are used, maintained, and how release detection is conducted for both tanks.

2. The UST Regulations: Part B, Section 1.04B, Spill and Overfill Protection Requirements

"No person may construct, install, use, or maintain any new UST facility without providing a reliable means of detecting and preventing an overfill."

Observation:

At the time of inspection, the high level alarm did not appear to be functioning properly. The alarm did not sound or flash when the test button was pressed.

Information requested:

- Within thirty (30) days of receipt of this letter, submit proof that the high level alarm has been serviced by a technician and is functioning properly.

3. The UST Regulations: Part B, Section 1.05A, Fill Line Protection Requirements

"All fill lines for a storage system must be clearly marked to indicate the size of the tank and the type of regulated substance stored."

Observation:

At the time of inspection, no labels indicating the capacities of the tanks were visible from the pump-out connections of the USTs and the manhole covers were painted blue, the color designated to represent mid-grade leaded gasoline. The tanks in question store skimmed used oil and sludge that includes emulsified oil.

Information requested:

- Within thirty (30) days of receipt of this letter, submit documentation that all fill lines have been labeled with UST capacity.
- Within thirty (30) days of receipt of this letter, repaint all pump-out manhole covers to readily identify the product contained within each tank. It is recommended that the "Equipment Marking Color-Symbol System" outlined in API Publication 1637 be utilized. API 1637 specifies that used oil tanks (and similar) are designated with a purple square.

4. Observation:

At the time of inspection, the manhole lid on the used oil tank's pump-out connection had been lost and replaced with a round steel plate.

Mr. Frank Claar
February 24, 2005
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Information requested:

- Within thirty (30) days of receipt of this letter, submit proof that the steel plate has been replaced with a proper manhole lid. Please note that the new lid must be painted in accordance with item number 3 above.

The Department requires that you submit the requested information within the specified time periods. Prior to commencement of upgrade, removal/abandonment, or new installation, proper notification must be submitted to the Department pursuant to the provisions of Part A, Sections 4.01, 4.02, 4.05, 4.06 and 4.10 of the UST Regulations. You must use a State of Delaware certified contractor to perform any of the above listed activities.

Should you refuse to submit the requested information and refuse to comply with Ch. 60, Ch. 74, and the UST Regulations within the specified time periods, the Department may find it necessary to take enforcement actions to ensure compliance. Pursuant to 7 Del.C., §7411, the Respondent may be liable for civil penalties up to \$25,000.00 for each day that the violations continue. If you have any questions, please contact me at (302) 395-2500.

Sincerely,



Rebecca L. Keyser
Environmental Scientist
Tank Management Branch

CCG:RLK\tcs
RLK2005-013

pc: Linda Coleburn, TMB

Enclosures

Facility # 3-00523 Facility Name: Amtrak Wilmington Maintenance Address: 4001 Vanderer Ave Wilm. 19802

Contact/Phone # Frank Clark 429-6458 Facility

UST INFORMATION FROM FIELD

Tank #	Capacity and Product	Status in use/ o-o-s	Tank Type Material / S.W. or D.W.	UST Manufacturer	Install. Date	Type of Sump UST / Dispenser	Sumps Free Of H2O / Product	Sump Sensors Tank/Dispenser	Sump Sensors Installed Properly Tank/Dispenser	Brand/Model LLDs	Wells Monitor / Observe.	Product Free
1	10K sludge	in use	DW FRP	Xerxes	4/16/98	C NA	Y/N Y/N	Y/N Y/N	Y/N Y/N	NA	Y/N	
2	10K used oil	in use	DW FRP	Xerxes	4/16/98	C NA	Y/N Y/N	Y/N Y/N	Y/N Y/N	NA	Y/N	
3							Y/N Y/N	Y/N Y/N	Y/N Y/N		Y/N	
4							Y/N Y/N	Y/N Y/N	Y/N Y/N		Y/N	
5							Y/N Y/N	Y/N Y/N	Y/N Y/N		Y/N	
6							Y/N Y/N	Y/N Y/N	Y/N Y/N		Y/N	

Comments:

sludge - with

used oil - with NA

tanks cleaned once a year

Tank #	Spill Bucket Installed / Empty	Dry Break Installed	Dry Break Tight	V.R. Swivel	Overfill (Type)	Fill Line Protection Labeled properly	CP Test Station	Pipe Type Material / S.W. or D.W.s	Piping Manufacturer	Pressurized or Suction (safe or U.S.)	LLD Mechanical / Electrical	Flexes Isolated or C.P.ed	Lined Tank NA
1	Y/N Y/N	Y/N	Y/N	Y/N	HL - not	Y/N	NA	DW FRP		gravity fed	NA	Y/N	Y/N
2	Y/N Y/N	Y/N	Y/N	Y/N	HL working	Y/N	NA	DW FRP		gravity fed	NA	Y/N	Y/N
3	Y/N	Y/N	Y/N	Y/N		Y/N						Y/N	Y/N
4	Y/N	Y/N	Y/N	Y/N		Y/N						Y/N	Y/N
5	Y/N	Y/N	Y/N	Y/N		Y/N						Y/N	Y/N
6	Y/N	Y/N	Y/N	Y/N		Y/N						Y/N	Y/N

Tank pad condition OK? Y/N Tanks manifolded above ground? Y/N Staining at facility? Y/N Location(s) _____

Comments:

need: sign on building

purple squares on lids - replace used oil lid

operator: Tony Boquish

Tank Materials:
 A. Asphalt Coated or Bare Steel
 B. Composite (Steel w/Poly)
 C. Steel (Dbl-Wall) w/Polymer
 D. Cathodically Protected Steel
 E. Composite (Steel W/FRP)
 F. Epoxy Coated Steel
 G. Fiberglass Reinforced Plastic
 H. Polyethylene Tank Jacket
 I. FRP Tank Jacket
 J. Other (specify)

Tank Secondary Option:
 S.W. Single Wall
 D.W. Double Wall

Tank and Dispenser Sump:
 A. No Sump/Dirt
 B. Wooden/Plastic/Steel Noncontained
 C. Plastic/Fiberglass Containment
 D. Other - Comment

Overfill Protection:
 B.F. Ball Float
 H.L. High Level Alarm
 F.V. Flapper Valve

Piping Type and Materials:
 A. Bare Steel Asphalt Coated
 B. Galvanized Steel
 C. Fiberglass
 D. Copper
 E. Flexible Plastic
 F. Cathodically Protected
 G. Other (specify)
 H. No Piping

Piping Secondary Option:
 A. Double Walled
 B. Secondary Containment
 C. None
 D. PVC/Plastic as Sec. Cont.

Leak Detection

Tank #	Capacity and Product		Inventory Control			Tank Leak Detection		Piping Leak Detection				
			Correctly Done	Monthly Recon.	Weekly H2O	Type(s)	Current and In Compliance	Type(s)	Current and In Compliance			
1	10k	sludge	Y/N	Y/N	Y/N	cont. interstitial	Y		NA			
2	10k	used oil	Y/N	Y/N	Y/N	monitoring	Y		NA			
3			Y/N	Y/N	Y/N							
4			Y/N	Y/N	Y/N							
5			Y/N	Y/N	Y/N							
6			Y/N	Y/N	Y/N							

If there is an ATG, what brand and model is it? TLS - 350

FR Current? Y/N Type? _____

Registration Certificate posted? Y/N

Comments:

liquid sensors checked once a year by SSS.

fax copy of self-insurance test
302-424-6361
sent 2/22/05

Vapor Recovery - NA

DAF Building

Vapor and Product Shear Valves installed where required? Y/N

1 Dry Break per tank? Y/N Total? _____

Daily Vapor Recovery inspection check list? Y/N

Vents: P/V valves where required? Y/N and set at 3 and 8 where required? Y/N

Rubber Hose under dispenser? Y/N

Boots and hoses in good condition? Y/N # _____

Stage I and Stage II Operating Permits and applications on site? Y/N

Vapor Recovery Training Certificate on site? Y/N

Dry break manhole cover(s) painted orange? Y/N

Comments:

Tank Leak Detection :

- A. Manual Tank Gauging
- B. Tank Tightness Test
- C. ATG Tightness Test
- D. Vapor Monitoring
- E. GW Monitoring
- F. Interstitial DW Monitoring
- G. Interstitial Sec. Con. Monitor
- H. SIR
- I. Other (specify)

Piping Leak Detection :

- A. Line Tightness Testing
- B. Mechanical LLD
- C. Electronic LLD
- D. Interstit. DW Monitor
- E. SIR
- F. Other (specify)

Date: 2/16/05

Facility #: 3-000523

Fac Name: Amtrak Wilm. Maintenance

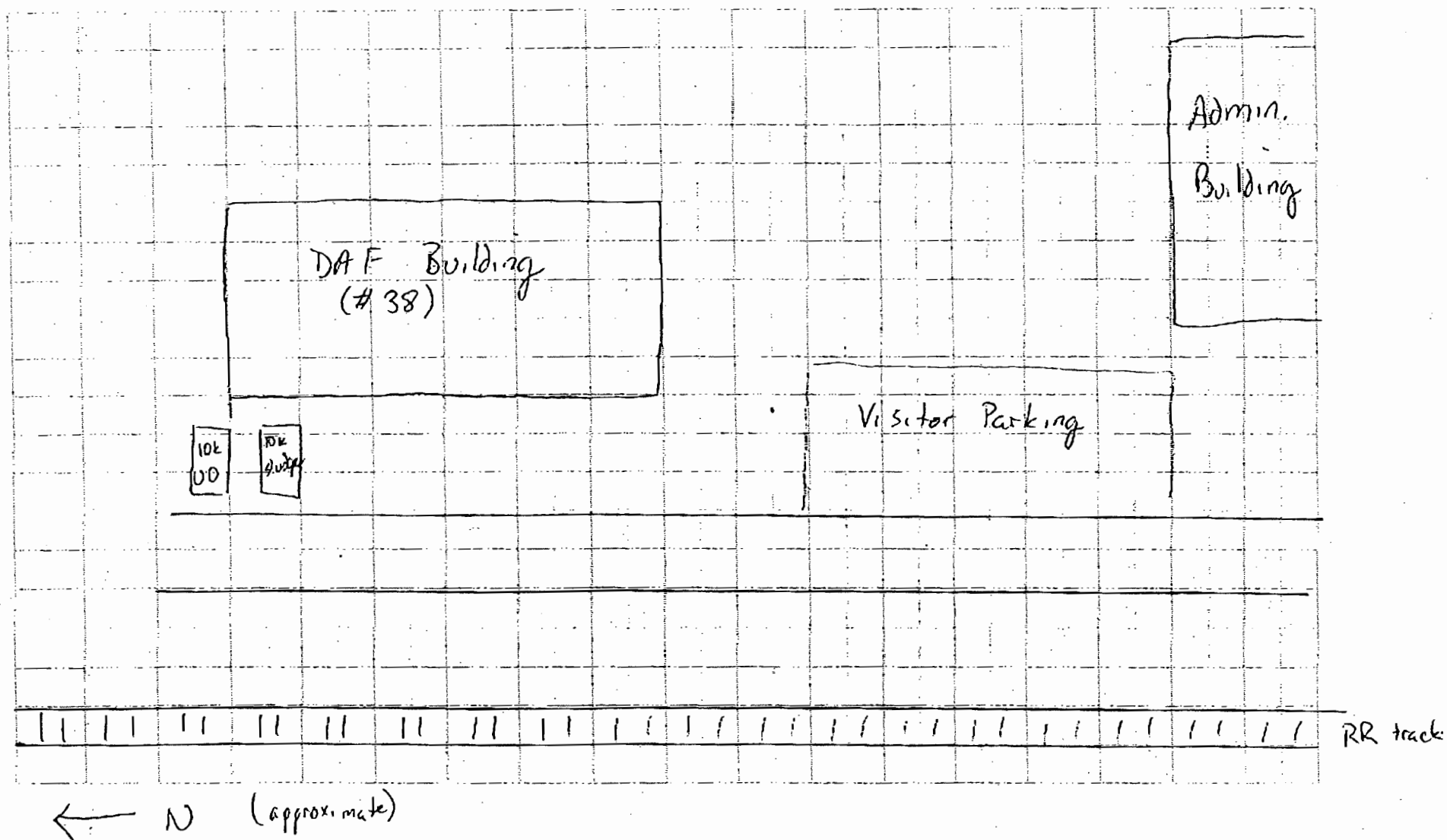
Address: 4001 Vandever Ave

City Wilmington

DNREC UST Branch
UST Facility Diagram

File Code 02A

Include location of all tanks, vent lines, manholes, fill pipes, wells,
tubes, major roads, intersections, landmarks, surface waters



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
& ENVIRONMENTAL CONTROL
DIVISION OF AIR & WASTE MANAGEMENT
89 KINGS HIGHWAY
DOVER, DELAWARE 19901



SOLID & HAZARDOUS WASTE
MANAGEMENT BRANCH

TELEPHONE: (302) 739 - 3689
FAX NO.: (302) 739 - 5060

January 26, 2001

FILE COPY

Mr. Frank Claar
National Railroad Passenger Corporation
Wilmington Maintenance Facility
4001 Vandever Avenue
Wilmington, Delaware 19802

Reference: DED060058062, File Code: 09

Dear Mr. Claar:

I am pleased to inform you that the deficiencies cited in the December 12, 2000 Notice of Violation (00-HW-10), have been corrected to the satisfaction of the Solid and Hazardous Waste Management Branch (SHWMB). The Department reached this conclusion based on the information contained in your letter received by the Solid and Hazardous Waste Management Branch on January 17, 2001.

The SHWMB would like to make the following suggestion in regards to the Drum/Waste Storage Area Inspection Sheet:

- Addition of correction action taken or deficiency correction method in the remarks column.

You will find attached a Division of Air and Waste Management *How Are We Doing* questionnaire. I would very much appreciate your completing this form and returning it to our office. Your input will help us improve our service to you.

Sincerely,

Handwritten signature of Karen G. J'Anthony.

Karen G. J'Anthony
Program Manager I
Solid and Hazardous Waste Management Branch

KDY0102
KGJ:KDY:trh

attachment

Delaware's good nature depends on you!

January 11, 2001



RECEIVED

JAN 17 2001

Mr. Kevin Yingling, Env. Sc.
Solid & Hazardous Waste Mgmt. Branch
Dept. of Natural Resources and
Environmental Control
Div. of Air & Waste Management
89 Kings Highway
Dover, DE 19901

SOLID & HAZARDOUS WASTE
MANAGEMENT BRANCH

Kevin,

Per your instructions and in an effort to meet the time window given, I am submitting for your review my response to the numbered items as stated in the N.O.V. 00-HW-10.

In addressing these items as specified, we tried to look at the total picture; specifically it appeared to me that items 1, 2, 3 and 4 addressed personnel in-house responsibilities related to management of hazardous waste, training of those personnel and record keeping/documentation. With these points as a focus, a Hazardous Waste Awareness Program (see Attachment A) was developed.

Next we looked at the points of possible generation of hazardous waste and the personnel whose daily activity was related to the management, generation, moving or handling of hazardous waste. It was decided at this point that in addition to the Environmental Department personnel. The foreman would be responsible for, and held accountable for the proper handling of the waste (both hazardous and non-hazardous) that his gang or operation generated. Personnel involved in generating (or having the potential of generating), moving, transferring or labeling hazardous waste; such as forktruck operators, painters and process operators, will be included in the training classes. A sign in sheet will be provided for the name, title (if any), shop and social security number of each person attending. This information (documentation) will be maintained on site, as well as sent to HRD.

New personnel coming on to our facility will complete a five-day orientation program that includes instructions in hazardous communication (RTK). They will also receive Hazardous Waste Awareness training prior to their involvement in any facet of hazardous waste handling or management.

All personnel handling hazardous waste or who are involved in the management of hazardous waste will receive annual hazardous waste/material

training. Documentation of this (and all) training will be maintained as specified at this facility and at HRD. Course of study content and attendance records will be maintained per regulation.

Since your inspection, the drums referred to in items 5, 6, and 7 were removed by our national contractor from our facility and disposed of. (See Attachment B) Further, since your inspection, we have initiated a facility wide program which includes establishing satellite accumulation points (areas), placement of properly labeled containers, instructions in proper preparation of labels and the inclusion of these areas (points) in our weekly container (item 8) inspection. Weekly inspections are done for both hazardous waste and non-hazardous waste containers and their respective containment areas. Please note copies of our weekly "Container Inspection Log" sheets are attached (C & D). Inspection records are maintained at our facility.

Finally, having been informed, during one of our previous conversations that items 9 and 10 have been satisfied, this then concludes my response to items 1 through 8 of the N. O. V, 00-HW-10. Should you have any questions or comments, please call me at 302-429-6458.

Respectfully,

A handwritten signature in cursive script, appearing to read "Frank Claar".

Frank Claar
Environmental Manager

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- ☐ Complete items 1 and/or 2 for additional services.
Complete items 3, 4a, and 4b.
☐ Print your name and address on the reverse of this form so that we can return this card to you.
☐ Attach this form to the front of the mailpiece, or on the back if space does not permit.
☐ Write "Return Receipt Requested" on the mailpiece below the article number.
☐ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

3. Article Addressed to:

FRANK CLAAR
NATIONAL RAILROAD PASSENGER
WILMINGTON MAINTENANCE FACILITY
4001 VANDEVER AVE
WILMINGTON DE 19802

4a. Article Number

2 225403064

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

12/14/00

5. Received By: (Print Name)

R.M. Hanks

6. Signature (Addressee or Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-99-B-0223

Domestic Return Receipt

Thank you for using Return Receipt Service.

MarieJR
Owens/R3/USEPA/US
Sent by: Mariejr Owens

10/03/2005 08:20 AM

To Ken Cox/R3/USEPA/US@EPA

cc

bcc

Subject Fw: Subtitle C and Subtitle I Inspections

History:  This message has been replied to.

Marie Owens
UST Team Leader
RCRA Compliance & Enforcement Branch (3WC31)
Phone: 215-814-3384
Fax: 215-814-3163

----- Forwarded by Mariejr Owens/R3/USEPA/US on 10/03/2005 08:20 AM -----



"Rittberg Alex (DNREC)"
<Alex.Rittberg@state.de.us>

09/30/2005 02:09 PM

To Mariejr Owens/R3/USEPA/US

cc "Keyser Rebecca L. (DNREC)"
<Rebecca.Keyser@state.de.us>, "Brixen David (DNREC)"
<David.Brixen@state.de.us>

Subject RE: Subtitle C and Subtitle I Inspections

Marie,
If it's the maintenance facility at 4001 Vandeever Ave in Wilmington, we have them down for 2 federally regulated 10,000 gallon fiberglass tanks which were installed in 1998. Facility number 3-000523. Our scientist assigned is Ms. Becky Keyser. Please coordinate with Becky and David if you are planning any activities there or need any more info. It's a state HSCA site (superfund) as well.

Have a good week-end.

-----Original Message-----

From: Owens.Mariejr@epamail.epa.gov
[mailto:Owens.Mariejr@epamail.epa.gov]
Sent: Thursday, September 29, 2005 3:02 PM
To: Rittberg Alex (DNREC)
Cc: Cox.Ken@epamail.epa.gov
Subject: Subtitle C and Subtitle I Inspections

Alex,

The Subtitle C folks have scheduled a hazardous waste inspection at the Amtrak Wilmington Maintenance facility. Can you tell me if there are any USTs at this location?

Thanks

Marie Owens
UST Team Leader
RCRA Compliance & Enforcement Branch (3WC31)
Phone: 215-814-3384
Fax: 215-814-3163